

MEREDITH N. LANDY (S.B. #136489)
PETER T. SNOW (S.B. #222117)
O'MELVENY & MYERS LLP
2765 Sand Hill Road
Menlo Park, California 94025-7019
Telephone: (650) 473-2600
Facsimile: (650) 473-2601
Email: mlandy@omm.com
psnow@omm.com

Attorneys for Defendants Rackable Systems, Inc.,
Thomas K. Barton, Madhu Ranganathan and Todd
R. Ford

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE RACKABLE SYSTEMS, INC.
SECURITIES LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS.

) Case No. C-09-0222-CW

) CLASS ACTION

) **STIPULATION AND ~~[PROPOSED]~~**
) **ORDER REGARDING SCHEDULING**
) **MATTERS**

1 WHEREAS, on June 15, 2009, Lead Plaintiffs filed the Amended Complaint for
2 Violations of the Federal Securities Laws (“Amended Complaint”);

3 WHEREAS, on August 4, 2009, the Court entered an order setting a briefing schedule for
4 Defendants’ motion to dismiss the Amended Complaint;

5 WHEREAS, Defendants filed their Motion to Dismiss the Amended Complaint for
6 Violations of the Federal Securities Laws (“Motion to Dismiss”) on August 13, 2009;

7 WHEREAS, Lead Plaintiffs filed their Opposition to Defendants’ Motion to Dismiss on
8 September 14, 2009; and

9 WHEREAS, the parties have met and conferred regarding modifying the briefing schedule
10 for Defendants’ reply brief in support of the Motion to Dismiss;

11 NOW, THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully
12 request that the Court enter an order, as follows:

- 13 1. Defendants shall file their reply brief on or before October 21, 2009; and
- 14 2. The hearing on defendants’ Motion to Dismiss shall be on November 19, 2009 at
15 2:00 pm.

16 IT IS SO STIPULATED.

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18 O’MELVENY & MYERS LLP

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20 Dated: October 14, 2009

By: _____/s/_____
Meredith N. Landy

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22 Attorneys for Defendants Rackable Systems,
23 Inc., Thomas K. Barton, Madhu Ranganathan
24 and Todd R. Ford
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GLANCY BINKOW & GOLDBERG LLP

Dated: October 14, 2009

By: /s/

Lionel Z. Glancy
Michael Goldberg

Attorneys for Lead Plaintiffs

I, Meredith N. Landy, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Scheduling Matters. In compliance with General Order 45, X.B., I hereby attest that Lionel Z. Glancy has concurred in this filing.

By: /s/

Meredith N. Landy

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 10/15, 2009



The Honorable Claudia Wilken
United States District Judge